

and an isocyanate component is continuously applied to an adhesive-coated backing material, and is reacted *in situ* on the adhesive-coated backing material to form a polyurethane backing.

Claims 1-8 are pending.

Claims 1, 4, 5 and 7 stand finally rejected under 35 U.S.C. 102(b) as anticipated by Edenbaum et al (US 4,675,232).

Applicants have previously pointed out that Edenbaum has nothing to do with the application of a reactive mixture of a polyol and an isocyanate to a backing, and reacting it on the backing to form a polyurethane.

In response, the Examiner argues that , although Edenbaum applies a dispersion of a prepolymer or polymer of polyurethane, this dispersion is still reactive. This begs the question, however. Whether or not the substance that Edenbaum applies is or is not "still reactive" is not the issue. The legal issue is whether or not Edenbaum applies the same composition as that recited in Applicants' claims. The fact is, he does not.

Applicants' composition is a reactive mixture of a polyol and isocyanate (Claims 1a, b,c). Applicants' polyurethane-forming reactive mixture, recited in part c of claim 1, is not just any polyurethane-forming reactive mixture, it is the specific polyurethane-forming reactive mixture of the polyol component and isocyanet component recited

in parts a & b of claim 1. This is different than that which is applied by Edenbaum. A "reactive polyurethane" (i.e., a prepolymer) is not the same thing as a reactive mixture of a polyol and an isocyanate. In addition, there is nothing in Edenbaum that would lead those skilled in the art to the application of a reactive mixture of a polyol component and an isocyanate component such as Applicants'.

Edenbaum therefore cannot possibly anticipate or suggest Applicants' claims, and the rejection of claims 1, 4, 5 and 7 under 35 U.S.C. 102(b) as anticipated by Edenbaum et al (US 4,675,232) should be withdrawn.

Claims 1-8 stand rejected under 35 U.S.C. 102(e) as anticipated by Schumann et al (U.S. 6,129,983). Applicants have already pointed out that Schumann does not disclose a continuous process, such as that claimed herein. The Examiner argues, however, that Schumann requires a continuous process, such as coating the backing after an in-line corona treatment, and cites to Col. 8, lines 11-17.

First of all, nothing in the language cited by the Examiner says anything at all about a continuous process.

Secondly, the language the Examiner refers to concerns the application of polyacrylate coating to the material that has already been coated with a polyurethane and stored for one week!

Thirdly, Applicants' claims say that it is the polyurethane-forming reactive mixture itself that is continuously applied to the backing material...see part c of claim 1. Schumann does not teach, and the Examiner does not say Schumann teaches, anything at all about the continuous application of a polyurethane-forming reactive mixture to a backing.

The language cited by the Examiner, Col. 8, lines 11-17, must be read in the light of Col. 7, lines 55-65. From this language, the Examiner will see that, in a first step, Schumann produces a paste for the backing; and then applies the paste to a backing. Afterwards, the backing is dried and crosslinked (Col. 8, lines 2-10) and then stored for one week! Afterwards, the backing is coated on both sides.

The break of one week clearly shows that Schumann is not a continuous process!

Schumann et al cannot therefore in any way be viewed as teaching or suggesting Applicants' novel process, and the rejection of 1-8 under 35 U.S.C. 102(e) as anticipated by Schumann et al (U.S. 6,129,983) should now be withdrawn.

Claim 8 stands rejected under 35 U.S.C. 103(a) as obvious over Schumann et al in view of the so-called "admitted prior art". The Examiner relies on the "admitted prior art" for a teaching of various dehesive media. The use of specific dehesive media in the Schumann process will not in any way overcome any of the differences discussed above. Certainly, the use of any particular dehesive material will not suggest the

changes that would be required to go from Schumann's process to Applicants. Where, for example, does the Examiner see any suggestion to continuously apply a reactive mixture of a polyol and isocyanate to a backing? The answer is, of course, nowhere!

The rejection of Claim 8 under 35 U.S.C. 103(a) as obvious over Schumann et al in view of the so-called "admitted prior art" should accordingly now be withdrawn.

In view of the present remarks it is believed that claims 1-8 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited. Should the Examiner not deem the present remarks to place the instant claims in condition for allowance, it is respectfully requested that this Response Under Rule 116 be entered for the purpose of placing the prosecution record in better condition for appeal.

CONDITIONAL PETITION FOR EXTENSION OF TIME

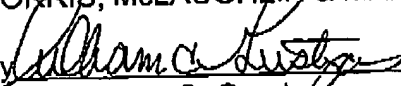
If any extension of time for this response is required, Appellants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

Additional Fee

Please charge any insufficiency of fee or credit any excess to Deposit Account

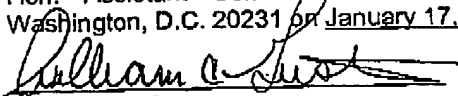
No. 14-1263.

Respectfully submitted
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hereby certify that this correspondence is being
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Hon. Assistant Commissioner For Patents,
Washington, D.C. 20231 on January 17, 2003


William C. Gerstenzang

Date: January 17, 2003

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